

AF/1632
#

Docket No. 00766.000043
Date: February 27, 2004

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: AKIHIRO UMEZAWA, ET AL.

Application No.: 09/749,728

For: THE CELL HAVING THE POTENTIALITY OF DIFFERENTIATION INTO
CARDIOMYOCYTES

Filed: December 28, 2000

Group Art Unit: 1632

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the
decision dated August 27, 2003 of the Primary Examiner finally rejecting claims 1 and 6-46.

The item(s) checked below are appropriate.

1. ☒ A Petition for a three month extension of time to respond to the final rejection, together with the \$950.00 extension fee under 37 C.F.R. §1.17, is being filed concurrently herewith.
2. ☐ A Petition for an additional ____ month extension of time to take further action, together with the \$____ extension fee under 37 C.F.R. §1.17, was filed on ____.

03/04/2004 AWONDAF1 00000033 09749728

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330.00 DP

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first-class mail in an envelope addressed
to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-
1450 on

February 27, 2004

(Date of Deposit)

LAWRENCE S. PERRY

(Name of Attorney for Applicant)

Signature

February 27, 2004

Date of Signature

3. ☒ Fee \$330.00

☐ Fee \$165.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)

☒ Enclosed

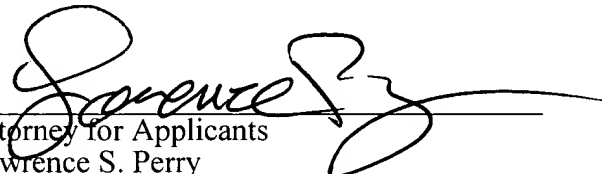
☐ Not required (fee paid in prior appeal)

☐ Charge to Deposit Account No. 06-1205 (One additional copy of this Notice enclosed herewith)

4. ☒ Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.

5. ☒ Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Attorney for Applicants
Lawrence S. Perry
Registration No. 31,865

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